

REMARKS

In an election of species requirement dated October 4, 2007, the Examiner required restriction under 35 U.S.C. § 121 between:

Species I - Method for removing partially carrier bound substances from blood using a ratio between the cleaning fluid flow rate and the blood flow rate set at at least 5;

Species II - Method for removing partially carrier bound substances from blood using the cleaning fluid containing carrier that is able to bind the partially carrier bound substances in the blood;

Species III - Method for removing partially carrier bound substances from blood using a membrane pretreated with a fluid containing a carrier that is able to bind the partially carrier bound substances in the blood;

Species IV - Method for removing partially carrier bound substances from blood using a filter having a water permeability coefficient of at least 10 ml/min/mm Hg.

The Examiner further contends that the claims listed below correspond to the species listed above in the following manner:

- 1) claims 1-3, 16-18;
- 2) claims 6, 8, 10-11, 21, 23, 25/23;
- 3) claims 7, 9, 10-11, 22, 24, 25/24;
- 4) claims 12, 17.

Applicants provisionally elect to prosecute Species IV, method allegedly drawn for removing partially carrier bound substances from blood using a filter having a water permeability coefficient of at least 10 ml/min/mm Hg, which the Examiner alleges correspond to claims 12 and 17. Applicants submit that the Examiner erroneously listed claim 17 as corresponding to Species IV, while actually intending to list claim 27 as corresponding to Species IV.

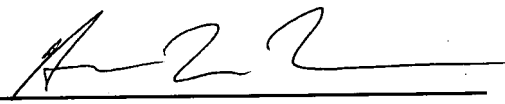
Moreover, by this Amendment and Response, Applicants have amended original claims 12-14 and 27-29. Applicants submit that amended claims 13, 14, 28, and 29, depend either directly or indirectly from either independent claim 12 or independent claim 27, which correspond to elected Species IV. Applicants further submit that claims 15 and 30 also depend from independent claims 12 and 27, respectively, and also correspond to elected Species IV. Accordingly, Applicants respectfully ask the Examiner's permission to prosecute pending claims 12-15 and 27-30, all of which correspond to elected Species IV, in this application.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 29, 2007

By: 
Aaron L. Parker
Reg. No. 50,785